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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/675,100	09/30/2003	Juergen K. Weinhofer	081696-0250 (02AB199)	4780

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EXAMINER

COLON SANTANA, EDUARDO

ART UNIT PAPER NUMBER

2837

DATE MAILED: 04/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/675,100	WEINHOFER ET AL	
	Examiner	Art Unit	
	Eduardo Colon-Santana	2837	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 19-23 is/are allowed.
- 6) ☒ Claim(s) 1, 4, 6, 13, 15 and 24-26 is/are rejected.
- 7) ☒ Claim(s) 2, 3, 5, 7-12, 14 and 16-18 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>2/05/2004</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 2/05/2004 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 4, 6, 13, 15 and 24-26 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Boyer U.S. Patent No. 5,923,132.

Referring to claim 24, Boyer discloses a method and apparatus for synchronous multi-axis servo path planning as claimed (see all figures and respective portions of the specification). Boyer further describes in figure 1, a system having motion control logic for controlling a first and second motors (24) defining a first and second motion axis respectively in accordance with a user program characterized by the operator console (16) having a programming interface. The motion control logic provided by the user interface and adapted by the servo controller (14) (see figure 2) provides a plurality of instructions that permits a move to be specified in terms of a multi-dimensional

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(24 - Horizontal) and second motor axis (24 - Vertical)(see Abstract and Summary of the invention).

As to claim 1, Boyer addresses all the limitations of the control logic and the programming interface, in which a user specifies a plurality of non-tangential path segments (coordinates) and a control logic (computer program 38) generates additional path segments to control operation of the motion axes to drive a first and second motors (24) (see Abstract, summary of invention and figure 1, 2).

Referring to claim 4, see motors (24) in figure 1.

As to claim 6, Boyer discloses that one of the objectives is to allow adjustment of the acceleration and speed of the motion control system.

Referring to claim 13, it can be depicted from figure 1, that the motion control system is an industrial control system providing control for industrial servo motors.

Referring to claim 15, all the additional limitations are inherent and disclosed in Boyer's depicted figure 1.

As to claim 25, Boyer describes the use of a servo controller (14), having a processor (41) that controls a control program (38) after receiving the inputs from a programming interface (16). All the limitations addressed in the claimed are inherent and listed in the rejected claimed 24 above.

Referring to claim 26, Boyer addresses all the limitations mentioned above in addition to describe in figure 1, a communication network. Boyer then states that even though the embodiment of figure 1

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depicts the use of a multi-axis movement in two axes, it can have additional motors and drivers and the same teachings can be provided to a system having motion control in any number of desired axes. It should be clearly stated that by having additional motors and drivers a plurality of microprocessors can be employed to maximize efficiency in the system (see Col. 3, lines 24-31).

Allowable Subject Matter

3. Claims 19-23 are allowed.

4. Claims 2, 3, 5, 7-12, 14 and 16-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

5. The prior art made of record in form 892 and not specifically relied upon is considered pertinent to applicant's disclosure to further show the state of the art.

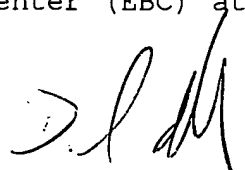
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eduardo Colon-Santana whose telephone number is (571) 272-2060. The examiner can normally be reached on Monday thru Thursday 6:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Martin can be reached on (571) 272-2800 X.37. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ECS
April 1, 2005



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